PETER D. KEISLER
Assistant Attorney General, Civil Division
CARL J. NICHOLS
Deputy Assistant Attorney General
DOUGLAS N. LETTER
Terrorism Litigation Counsel
JOSEPH H. HUNT
Director, Federal Programs Branch
ANTHONY J. COPPOLINO
Special Litigation Counsel
Email: tony.coppolino@usdoj.gov
ANDREW H. TANNENBAUM
Trial Attorney
Email: andrew.tannenbaum@usdoj.gov
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-4782/(202) 514-4263
Fax: (202) 616-8460

Attorneys for Defendants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	**No. M:06-cv-01791-VRW**
This Document Relates Only To: *Center for Constitutional Rights v. Bush*, (Case No. 07-1115)	**DEFENDANTS' NOTICE OF PRIOR LODGING OF CLASSIFIED DECLARATION OF JOHN D. NEGROPONTE FOR *IN CAMERA, EX PARTE* REVIEW**
	Judge: Hon. Vaughn R. Walker Date: August 9, 2007 Time: 2 p.m. Courtroom: 6, 17th Floor

Dockets.Justia.com

Defendants, through their undersigned counsel, hereby provide notice of the prior submission, for the Court's *in camera*, *ex parte* consideration, of the following materials in support of the United States' assertion of the military and state secrets privilege and motion to dismiss or, in the alternative, for summary judgment in this action:

The *In Camera*, *Ex Parte* Classified Declaration of John D. Negroponte, (former) Director of National Intelligence.[1]

This classified declaration was lodged in this action on May 26, 2006, and a notice of lodging was filed at that time on the public docket in the Southern District of New York, where the case was pending. Because that notice of lodging may not have been transferred to this Court when the case was transferred (the notice is missing from this Court's electronic docket), we are providing the notice again in the interest of clarity. The declaration is available for the Court's *in camera, ex parte* review upon the Court's request.

DATED: June 8, 2007

Respectfully Submitted,

PETER D. KEISLER
Assistant Attorney General, Civil Division

CARL J. NICHOLS
Deputy Assistant Attorney General

DOUGLAS N. LETTER
Terrorism Litigation Counsel

JOSEPH H. HUNT
Director, Federal Programs Branch

/s/ Anthony J. Coppolino
ANTHONY J. COPPOLINO
Special Litigation Counsel
tony.coppolino@usdoj.gov

/s/ Andrew H. Tannenbaum
ANDREW H. TANNENBAUM
Trial Attorney
andrew.tannenbaum@usdoj.gov

[1] An unclassified version of this document has been filed on the public record.

U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, D.C. 20001
Phone: (202) 514-4782
(202) 514-4263
Fax: (202) 616-8460